

**REMARKS**

The Applicant respectfully requests further examination and consideration of the claims in view of the above amendments and the arguments set forth fully below. Claims 1-20 were pending in this application. Within the Office Action, Claims 1, 2, 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,643,981 which issued February 7, 1987, to Card (hereinafter Card). Claims 3-6 and 10 stand rejected under 35 U.S.C. §103(a) as being anticipated by Card in view of U.S. Patent No. 5,636,233 which issued June 3, 1997, to Levinson (hereinafter Levinson). Claim 9 stands rejected under 35 U.S.C. §103(a) as being anticipated by Card in view of U.S. Patent No. 4,909,932 which issued May 20, 1990, to Monnet (hereinafter Monnet). Claims 11-20 are allowed. No claims are withdrawn or cancelled by this response. Accordingly, Claims 1-20 remain pending in this application.

**Rejection of Claims 1, 2, 7 and 8 Under 35 U.S.C. § 103(a)**

Within the Office Action Claims 1, 2, 7 and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Card. The Applicant respectfully traverses this rejection.

Claims 1 and 2 are cancelled. New claim 21 includes different limitations not taught by any of the cited references. As such claim 21 is in a condition for allowance. Claims 3 and 4 are amended to depend from new claim 21. Claims 3-6 depend from allowable claim 21 and are thus, also in a condition for allowance.

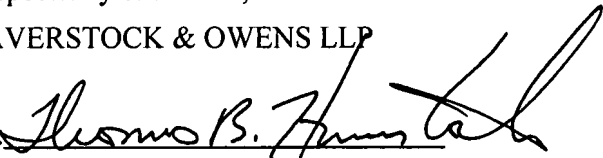
The rejection fails to take into account the teachings of the reference. In response to the amendment, the rejection states “[t]he “relatively rigid” formation of the layers does not prohibit them from being compressed when forced through a vessel of diminishing cross-sectional size. The teaching of Card is that of a filter assembly which has the capability of changing its size.” While this is true, Card only teaches very modest changes in size, in particular *lightly internally tapered* walls. Attempting to force a sandwich including two semi-rigid discs through an opening 35% of its dimension would buckle, break or cause the vessel to break. If the filter buckled or broke, the infusion material would mix with the liquid rendering it unusable. Claim 7 is amended to recite that the radially compressible filter support is adapted to compress at least 35% of its radial dimension. The semi-rigid discs of Card are incapable of this. As such, claim 7 is in a condition for allowance. Claim 8 is cancelled. Claims 9-10 depend from allowable claim 7. As such, claims 9-10 are also in a condition for allowance.

Allowed Claims The Applicant gratefully acknowledges that claims 11-20 are in a condition for allowance.

For the reasons given above, the Applicant respectfully submits that the Claims 3-7 and 9-21 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

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